women are persons!

a tribute to
the women of Canada
and the 'persons case'

WITHDRAWN

Alberta

WOMEN'S BUREAU

October, 1979

WOMEN ARE PERSONS! an informational booklet and annotated bibliography prepared by the Alberta Women's Bureau in cooperation with Alberta Culture Library Services Branch to honour the 50th anniversary of the "Persons' Case", October 18, 1929 to October, 18, 1979.

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A message from the Director

A 50th anniversary is always a happy occasion, and the 50th anniversary of the date when Canadian women were legally declared "persons" is a joyous occasion indeed. Fifty years ago, on October 18, 1929, Canadian women were officially granted the right to become members of the Canadian Senate. Five Alberta women, later to become known as "The Famous Five", were responsible for bringing about this decision. It represented a significant development in the political rights of Canadian women as a whole, with respect to holding public office and participating in affairs of state.

Fifty years ago British Common Law, under which we are governed, stated, "Women are persons in matters of pains and penalties, but are not persons in matters of rights and privileges". Sixty-three years ago **The Dominion Election Act** read in part: "No idiot, lunatic, criminal or woman shall vote". This right was granted to Alberta women in April, 1916.

Conditions for women in the workplace and rights in the home left much to be desired. While "The Famous Five" were responsible for the "Persons Case" victory, women generally made a valuable contribution in their struggle for social change. They used their abilities and energies in a crusade to correct many of these wrongs and so create a better quality of life for all Albertans.

This brochure, with annotated bibliography, has been prepared to honor the "Persons Case" and will accompany the display on tour throughout Alberta in this 50th anniversary year. The struggles, aspirations, and achievements of the women of Alberta are highlighted, to celebrate the role of women in improving the quality of life for Canadian people.

Special thanks go to Barbara Clubb, Library Development Officer with Alberta Culture, for her diligence and enthusiasm in helping to assemble this commemorative bibliography, and to Donaleen Saul who prepared the text.

E. Phyllis Ellis
Director

The "Persons Case"

Lord Chancellor Lord Sankey, of his Majesty's Privy Council, at Temple Bar, 1929, on his way to deliver judgment re the status of women as "persons" under the British North America Act

"Women are persons in matters of pains and penalties, but are not persons in matters of rights and privileges".

This 1876 British Common Law ruling provided the stumbling block which, in the early part of this century, prevented Canadian women from taking an active part in public office and affairs of state.

In 1916 this situation came to the attention of Judge Emily Murphy, the first woman magistrate in the British Empire. As magistrate of the newly-created Women's Court in Edmonton, she had just severely sentenced a bootlegger when the latter's attorney challenged her ruling on the grounds that she was not a "person" and was therefore occupying the office of magistrate illegally. Judge Murphy reportedly handled the situation calmly, making a note of the lawyer's objection, but proceeded with the case. Apparently the lawyer repeated his objection every time he appeared in her court.

Magistrate Alice Jamieson of Calgary was similarly challenged a year later. However, the Alberta Supreme Court, in 1917, made the provision that "there is... no legal disqualification for holding public office in the government of this country on the basis of sex". Thus the authority of Judges Murphy and Jamieson was upheld and it was established that, in Alberta at any rate, women were "persons".

However, the situation was by no means clear at a federal level. Emily Murphy became aware that the federal government would not appoint a woman to the Canadian Senate on the grounds that, according to **The British North America Act**, women were not "persons".

For the next decade a number of Canadian women's groups, including the Federated Women's Institutes, the National Council of Women, and the Montreal Women's Club, made representations to the federal government to open the doors of the Upper House to women. Promises were made by Prime Minister Meighan and later, Prime Minister Mackenzie King, to make changes in the BNA Act, but time passed and nothing happened.

In 1927 Emily Murphy decided to take matters into her own hands, and after consultations with several lawyers, learned that any five persons could initiate an appeal to the Supreme Court of Canada for clarification of any part of the BNA Act.

Emily Murphy

Emily Murphy strongly believed women's associations could help with social reforms and worked to establish several women's clubs in Canada, as well as serving as President of the Canadian Women's Press Club. Her efforts resulted in **The Dower Act** being passed. She believed that insanity was a disease, not a crime. Writing under the pen name of "Janey Canuck" she spoke out on drug addiction in **The Black Candle** and on birth control in **Pruning the Family Tree**. In 1930 she saw the first mental health clinic established in Alberta. Mrs. Murphy also worked toward the establishment of public playgrounds and the election of women as school trustees.

She then selected four other dynamic Alberta women to join her in this appeal:

Nellie Mooney McClung

Nellie Mooney McClung - well-known novelist, teacher, social reformer, and suffragist - had served as a member of the Alberta Legislature between 1921 and 1926. During that time she had actively campaigned for mothers' allowances, birth control, free medical and dental treatment for school children, public health regulations, temperance, and the rights of women. She also campaigned for fairer property rights for women, the rights of women generally, and divorce. In 1936 Mrs. McClung became the first woman on the Board of Governors for the Canadian Broadcasting Corporation, and in 1939 was Canada's sole woman representative to the League of Nations.

Henrietta Muir Edwards

Henrietta Muir Edwards was 78 years old when the petition was signed and forwarded to Ottawa. She was a journalist and an accomplished artist, painting miniature portraits and china which was exhibited at the Chicago World's Fair in 1893. In 1875 she organized the Montreal Working Girls' Association, a forerunner of the Young Women's Christian Association. The purpose of that organization was to provide poor working girls with vocational training and help in finding employment, as well as housing and recreational facilities. Being a legal expert she worked as Convenor of Laws for the National Council of Women, and prison reform was one of her chief interests. She also worked helping to organize Public Libraries, urged the establishment of mother's allowances, equal parental rights and for divorce to be granted on equal grounds. Her book **The Legal Status of Women in Canada** was published by the federal government and she was a member of the Alberta Government Advisory Committee on Health.

Irene Marryat Parlby

Irene Marryat Parlby's public life began in 1916 when she took over the presidency of the United Farm Women of Alberta. Later elected to the Alberta Government she became the second woman in the British Empire to serve as a cabinet minister, and was Minister without Portfolio in the Alberta Cabinet from 1921 to 1935. During her years in public office, she supported 18 laws affecting the lives of women and children. These included a bill to improve the quality of rural education, legislation to provide municipal hospitals and public health nurses to rural districts in the province, and **The Minimum Wage For Women Act**. She was also responsible for having obstetrical nurses placed in outlying districts of the province not having doctors, and establishing child welfare clinics.

Louise Crummy McKinney

Louise Crummy McKinney had the distinction of being the first woman to be elected to a legislature in Canada and in the British Empire. Active in the Alberta farm community as a social reformer she was instrumental, along with Emily Murphy, in having **The Dower Act** passed in Alberta. She also helped introduce laws for immigrants and the subnormal, more effective liquor laws and aroused public opinion against the unjust status of widows and separated wives.

The "Persons Case" came before the Supreme Court of Canada on April 24, 1928 and the question asked by the five women was very straightforward:

> Does the word 'person' in Section 24 of **The British North America Act** include female persons?

Their appeal was denied. The justification given for this decree was that since persons required for public office must be "fit and qualified", only men would be eligible for appointment. The women were shocked and disappointed at such a paternalistic ruling but, as Nellie McClung expressed it, "This ruling leaves us abashed, but not despairing; humbled but not hopeless. Acts can be amended and we believe they will".

The five women were true to this sentiment and did not let the matter rest. There was a further recourse - the Privy Council of England. And so, with Prime Minister King's support, they referred the petition to what was at that time Canada's highest court of appeal.

On October 18, 1929, Lord Sankey, Lord Chancellor of the Privy Council, announced the decision that "women are eligible to be summoned and may become Members of the Senate of Canada".

The battle was won and an important milestone in women's formal rights and responsibilities, with respect to public affairs, was reached. As Emily Murphy stated to the press after the Privy Council's decision:

> "We, and the women of Canada whom we had the high honour to represent, are not considering the pronouncement as standing for a sex victory, but rather, as one which will permit our saying 'we' instead of 'you' in affairs of State."

The Canadian government promptly appointed two women to the Senate as soon as vacancies became available - Hon. Cairine Wilson, from Ottawa, and later, Hon. Iva E. Fallis, from Peterborough, Ontario. However, none of "The Famous Five" were to receive that honor and western women have yet to achieve representation in the Canadian Senate.

Women in Alberta
The Early Struggle

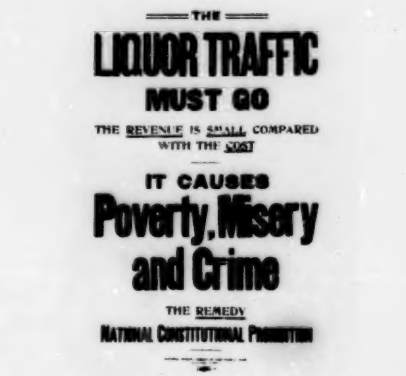
To many Canadian women the Privy Council decision was self-evident. "Surely the actions of women during the last few years - the part they have taken in the life of the nation - leaves little doubt as to their eligibility to rank with men". So stated the president of one of the branches of the Women's Canadian Club.

And with much justification. Prior to the "Persons Case" women had been working long and hard to improve living and working conditions in Canadian society. In many respects Alberta women were in the forefront of this activity. Many of them came to the province with a university education, and their pioneering contribution was equal to that of the men.

Also, while the struggle was by no means easy, Alberta pioneer women had considerable support from the government, the press, and the public for their efforts to gain social reforms and to improve their political situation. Such organizations as the Women's Christian Temperance Union, Local Councils of Women, and the Edmonton Equal Franchise League were actively involved in achieving the franchise for women. After a six-year campaign, they succeeded on April 19, 1916.

The Alberta government was first in a number of significant areas affecting women. It was the first province in Canada to call women to the provincial legislature, to appoint women magistrates and judges of the juvenile court, to permit women the right to sit on municipal councils, to give equality of suffrage in provincial and municipal affairs, to give absolute equality in parental rights within marriage, and to gain equal rights of inheritance to estates of deceased children.

Locals of the National Council of Women, situated in several Alberta centres, devoted their attention to such matters as equal parental control, homes for mentally deficient children, homes for the aged, and mothers' pension. The passing



Women's Christian Temperance Union Campaign Poster

Hillhurst Presbyterian Sunday School, Calgary, 1912-1916

Women's Christian Temperance Union Convention, Tofield, May 1916

United Farm Women of Alberta Board, 1920

WANTED! By LIQUOR TRAFFIC
Ten Thousand New Canadian Fathers and Sons
Ten Thousand New Canadian Men and Boys
TO TAKE THE PLACE OF
Ten Thousand Drunkards Dead!
ABOLISH THE BAR

Poster of the Times

of legislation on these subjects was largely due to their efforts.

The United Farm Women of Alberta was active in relief work during the First World War. In addition to supporting such causes as the Red Cross and Belgian Relief, they substantially increased the rate of production of foodstuffs in Alberta, despite the unavailability of farm help in the home and in the field.

The improvement of social conditions in rural communities was the major concern of the Women's Institutes of Alberta. Home nursing, child welfare, sanitation, and local neighborhood needs all came under their careful scrutiny.

Other organizations - the Imperial Order of Daughters of the Empire, Young Women's Christian Association, the Catholic Women's League, and Children's Aid Societies - through their charitable and patriotic work, contributed greatly to the well-being of growing Alberta communities.

In the first decades of the 20th century, women of Alberta were able to achieve some of the most enlightened and liberal laws in Canada. **The Factory Act** provided for the protection of women workers, **The Dower Act** declared the family home or farm to be a homestead which could not be transferred without the wife's consent, and in which she had a life interest in the event of her husband's death. **The Sex Disqualification Removal Act** removed all civil and political stipulations which prevented women from taking their rightful place in government, commissions, and the judiciary.

Women of Alberta, and of Canada as a whole, owe a tremendous debt of gratitude to those pioneer women who accomplished a great deal through their efforts to have us recognized as "persons", through initiating social reforms to improve the lives of many, and through setting an outstanding example of courage and leadership.

Women in Alberta
The Present

The Royal Commission on the Status of Women in 1970 delivered a telling indictment on the position of Canadian women.

> "The last 50 years since woman suffrage was introduced, have seen no appreciable change in the political activities of women beyond the exercise of the right to vote...The voice of government is still a man's voice. The formulation of policies affecting the lives of all Canadians is still the prerogative of men."

There is much evidence to support the contention. In the 1979 federal House of Commons 10 of 282 Members of Parliament are women, only one is a cabinet minister. Of 92 senators only 10 are women. In the current Alberta legislature there are 79 members of the Legislative Assembly including six women, one of whom is a member of the Cabinet.

In spite of the fact that Alberta has a Women's Bureau, concerned women in the province are pressing for a cabinet minister or an advisory board responsible for the status of women. **The Matrimonial Property Act** effective January 1, 1979, which allows judges to consider child rearing and homemaking as a contribution to the matrimonial assets, has been a positive step. However, Alberta women are urging for amendments to **The Individual's Rights Protection Act** to end discrimination on the basis of marital status. Other issues which concern women's groups are the need for more accommodation for battered women, safety and protection in the streets, and, since over 50% of the province's women work outside the home, the urgent need for more day-care facilities. Increased representation on significant provincial boards and commissions is also a concern.

The women of Alberta and elsewhere in Canada, continue to fight for improved day-care facilities and reforms in the workplace. Native women are working toward changing the discriminatory federal law which removes Indian status from Indian women who marry non-Indians but contains no such penalty for men.

The occasion of the 50th anniversary of the "Persons Case" is a time for Canadian citizens to reflect on women's situation in Canada and to consider how we can work together to further the cause of women. A hope expressed by Nellie McClung in 1915 still applies today:

> "The time will come, we hope, when women will be economically free, and mentally and spiritually independent enough to refuse to have their food paid for by men; when women will receive equal pay for equal work, and have all avenues of activity open to them; and will be free to choose their own mates, without shame, or indelicacy; when men will not be afraid of marriage because of the financial burden, but free men and free women will marry for love, and together work for the sustenance of their families. It is not too ideal a thought. It is coming, and the new movement among women who are crying out for a larger humanity, is going to bring it about."
>
> from **In Times Like These** (p. 85)

W. Helen Hunley: First woman cabinet minister to hold full government portfolio, and Alberta's first Solicitor-General.

The "Persons Case" Celebration in Alberta

Voting, Westcott, Alberta, 1917.

Samaritan Club collecting bottles and cans for prisoner-of-war fund, Elbow Park, Calgary. C1914-1918.

Prairie Circle Ladies' Group, Cereal, Alberta, C1916, with booth at fair. Group raised funds to start first hospital in Cereal. This group became Cereal Women's Institute in 1935.

To bring the significance of the "Persons Case" to the attention of the public, the Alberta Women's Bureau has initiated a variety of activities to be carried out by individuals and organizations throughout the province.

- The Alberta Women's Bureau is providing kits on the "Persons Case" to all junior and senior high school social studies classes throughout the province.
- A travelling display and accompanying bibliography, which will tour the province commencing October 1979, has been prepared by Alberta Culture under the sponsorship of the Alberta Women's Bureau.
- The Alberta Provincial Museum and Archives is preparing an exhibit of the "Persons Case" during October, 1979.
- ACCESS Alberta is producing a television dramatization of the "Persons Case" to be broadcast nationally.
- As part of the Festival Canada celebrations (June 25 - July 1) Alberta Culture and the Alberta Women's Bureau sent a special display to Montreal.
- Alberta Culture, under the sponsorship of the Alberta Women's Bureau, will be arranging a cultural conference to commemorate the "Persons Case" and to celebrate the contribution of Alberta's many ethnic groups.
- Alberta **Heritage** magazine will be featuring the "Persons Case" in its October, 1979 issue.
- The Alberta Women's Bureau has established "The Persons Case Scholarship Fund" to assist undergraduate students who are attending Alberta universities and public colleges and who cannot obtain financial help from other sources. Students in the social sciences, with emphasis on the study of human relationships, will be qualified to apply for this scholarship.

Communities, individuals, and organizations throughout Alberta are celebrat-

ing the "Persons Case" in a variety of unique ways.

• Several communities throughout Alberta are holding their own celebrations to commemorate the "Persons Case". For example, the Berrywater Women of Unifarm are celebrating the joy of personhood with a family campout at their community centre.

• Dr. Ronna Jevne, a psychologist at the University of Alberta, organized a very successful retreat near Edmonton April 20 - 22, 1979 to give interested women the opportunity to celebrate their status as "persons" and to reflect on the implications of that status in today's society.

• Art galleries throughout the province are including women's art in their exhibits during 1979.

• Shopping centres throughout the province are displaying tributes to women to honor the "Persons Case".

• Alberta Culture, Visual Arts, and the Alberta Art Foundation are organizing a special exhibition of Alberta women's art in commemoration of the 50th anniversary of the "Persons Case" to be on display October 1 to 19, 1979 in the Beaver House Gallery.

• An independent group of women in Calgary are planning a Gala Banquet on October 18, 1979 to celebrate the "Persons Case". Poet Margaret Attwood will be special guest. At the dinner, five awards will be given to Calgary women who have shown outstanding contributions in the fields of education, community services, arts, business, government and public affairs. Various other celebrations will lead up to the dinner.

• On October 5, 1979 the Edmonton Symphony will feature a program of music by women composers with guest conductor Eve Queller of Pittsburgh at Convocation Hall, University of Alberta, Edmonton.

National organizations are also paying tribute to the "Persons Case".

• The National Action Committee on the Status of Women, in honor of the "Persons Case" celebration, will hold its mid-year meeting (October 19 - 21) in Edmonton to coincide with the Alberta Status of Women Action Committee's annual conference in October.

• The National Action Committee on the Status of Women commissioned the design of a commemorative medallion by the distinguished Canadian artist Dora de Pedery-Hunt. Bronze or silver pendants of the design are available from the NAC office in Toronto, as are sheets of commemorative seals.

• The Canadian Research Institute for the Advancement of Women will hold its annual conference in Edmonton November 9, 10 and 11, 1979; the theme of which is "Women As Persons".

Native women at the turn of the century

Hospital Ladies Aid, Edmonton

Persons Case Bibliography

The purpose of the following list of resources is to provide convenient access to materials relating to the Persons Case, the "Famous Five" Alberta women who were instrumental in this victory for women's emancipation, and the history of women's rights in Canada. The **Source Book on Canadian Women** was very helpful in the preparation of this bibliography.

Books and Articles

Alberta Culture. Women in Alberta. Provincial Archives of Alberta Information Leaflet No. 9, 1977.

The booklet features examples of the valuable material concerning women and their role in Alberta's history preserved as part of the collection of the Provincial Archives.

Alberta Status of Women Action Committee. Joint Initiatives - a Goal for Women and Government in Alberta. October, 1976. 75 p.

A factual report based on a series of workshops held in Alberta during International Women's Year (1975). The underlying assumption of the report is that women in Alberta, as well as in the rest of Canada, have not yet achieved the status and basic rights to which they are entitled. Four sections cover changes in the status of Alberta women since 1970, the concerns of women's groups, feminist and non-feminist, about the present status of women, federal and provincial structures established to facilitate participation of women in all aspects of society, and a blueprint for action in which the workshop discussions are summarized. A major recommendation of the report is that the provincial government set up a ministry responsible for the status of women.

Alberta Women's Bureau. The Famous Five. Edmonton, 1974. 2 p.

A simple two page fact sheet outlining the lives of the five women who petitioned in the Persons Case: Emily Murphy, Henrietta Muir Edwards, Irene Parlby, Nellie McClung, and Louise McKinney. Gives basic statistics on their births, deaths, family life, the organizations they belonged to and their political and social contributions to society.

Alberta Women's Bureau and Alberta Culture. Les Femmes Sont Des Personnes! / Women are Persons: a tribute to the women of Canada and the Persons Case. Edmonton, 1979.

A bilingual pamphlet prepared to explain and commemorate the 50th anniversary of the Persons Case and to honor Festival Canada celebrations in Alberta's sister province of Quebec.

Anderson, Margret, ed. Mother Was Not a Person. Montreal, Content Publishing Ltd. / Black Rose Books, 1972. 253 p.

This anthology of poetry and essays covers a broad range in the realm of women's studies including women and history, education, the arts, law, health and feminism. The book is the result of students' work in one of the first Canadian Women's Study Courses, held at Loyola College in Montreal. The first chapter "Women's Place, How It Was" highlights the political struggles of six early feminists, including three of "The Famous Five" - Henrietta Muir Edwards, Nellie McClung and Emily Murphy.

Armitage, May L. "Canada's First Woman Member." Maclean's, August, 1927, pp. 9-10, 45.

The article is a brief biography of one of "The Famous Five" - Louise McKinney.

Bannerman, Jean. Leading Ladies. Belleville, Ontario, Mika Publishing Co., 1977. 580 p.

A series of brief biographies on Canadian women, past and present, who have made outstanding contributions in various areas ranging from religion to theatre to sports. The author dedicates a chapter, "The Famous Five", to the women involved in the Persons Case. She gives a lively, detailed account of their backgrounds and how they joined together in Emily Murphy's living room to fight for the right of women to be "persons".

Benham, Mary Lile. Nellie McClung. Don Mills, Ontario, Fitzhenry and Whiteside, 1975. 64 p.

Another book in "The Canadians" series designed to introduce children to their country's heroes and heroines, **Nellie McClung** is the story of the idealist, novelist, feminist and temperance worker. Quoting freely from Nellie's speeches and writings, Benham recounts Nellie's battle for Manitoba women, her later election to the Alberta Legislative Assembly, and her continuing crusade for female equality. A short epilogue assesses the progress of women's rights since McClung's death in 1951.

Blue, J. Alberta Past and Present. Chicago, Pioneer Historical Publishing Company, 1924. 451 p.

Not a great deal about women in the 451 pages of history. However, the book does contain an informative, although rather patronizing chapter on women at the end, of Vol. 1, called "Women's Organizations and Activities". The author extolls the provincial government for passing progressive laws supporting women's rights (eg. The Dower Act), discusses the contributions of women's organizations like the Alberta branches of the National Council of Women, Y.W.C.A., the United Farm Workers and the Women's Institutes, and lists important positions particular women have attained.

Bourne, Paula. Women in Canadian Society. Canadian Critical Issues Series. Toronto, The Ontario Institute for Studies in Education, 1975. 150 p.

An excellent curriculum resource, this book is part of a series that focuses on controversial issues in contemporary Canadian society. The book uses well-documented case studies to explore women's fight for economic, legal and social equality with men. For example, the author presents the case of Irene Murdoch to examine issues dealing with women and work, and that of Jeanette Laval's fight to change **The Indian Act**, to consider the position of native women in our society. Details of current and proposed legislation relevant to these issues are also included. For each chapter, the book generally follows a structure of presenting the case study, raising the issues, asking questions, giving parallel situations and suggesting research activities.

Casgrain, Thérese. A Woman In A Man's World. Memoirs. Toronto, McClelland and Stewart, 1972. 192 p.

Born of an influential French-Canadian family, Madame Thérese Casgrain married a Quebec lawyer who later served as a federal Member of Parliament and finally as a provincial judge. Not content with a life of easy leisure and social activity, she became a staunch advocate of feminine rights and civil liberty. She was the first woman in Canada to lead a political party - the

Quebec wing of the Co-operative Commonwealth Federation and also served as a member of the Canadian Senate. The account of her fifty years of involvement in the social and political events in Canada is told in a clear and flowing style with many vivid recollections of such notables as Emily Murphy and Prime Minister Mackenzie King.

Cleverdon, Catherine Lyle. **The Woman Suffrage Movement in Canada**. Toronto, University of Toronto Press, 1950. 324 p.

This key book traces the struggle for women's suffrage as it occurred in each province. The author has gathered together a large amount of source material adding entertaining details and anecdotes to make the account both informative and vivid. The women of "The Famous Five" appear prominently in the section on the Prairies for their work in winning the vote.

Cormack, Barbara Villy. **Perennials and Politics**. Sherwood Park, Alberta Professional Printing Ltd., 1968. 160 p.

An interesting, well-researched account of the life of Irene Parlby, one of "The Famous Five" in the Persons Case. The many anecdotes, letters and conversations quoted cast Parlby as an honest, outspoken woman dedicated to the health and welfare of Alberta's rural population. During her illustrious political career, Parlby was the founder and president of the United Farmwomen of Alberta, a Cabinet Minister in the United Farmworkers of Alberta government, one of "The Famous Five" in the Persons Case and a delegate to the 1930 meeting of the League of Nations. As well as many details about Parlby's personal and political life, the book also chronicles a social and political history of Alberta during the volatile decades of the early 20th century. Chapter Nine, "The Persons Affair", gives a good summary of the Persons Case as well as some background information on the other members of "The Famous Five".

Corrective Collective. **Never Done: Three Centuries of Women's Work in Canada**. Toronto, Canadian Women's Educational Press, 1974. 150 p.

An overview of Canadian women's working history based on material collected from diaries, old newspaper clippings and novels. History is presented in almost storybook fashion with humourous illustrations and even some comic strips. The book brings out the hidden history of women, what they did to survive in a harsh new land while men were politicking and fighting battles. The best section with the most factual data is on Wage Work, the kinds of occupations open to women, the working conditions and women's struggles to improve their working situations. Good for junior high level.

Doherty, Janice. "Milestones". **Weekend Magazine**, September 30, 1968. p. 11.

Part of a feature for the cover story "Ten Years of Women's Liberation". The article presents a list of reforms won by the women's movement over the last ten years. It includes major reforms like equal pay legislation and the legalization of the selling and advertising of contraceptives. It also reveals some surprises. For example, in 1971, Dauphin, Manitoba, ended its tradition of firing female municipal employees when they married.

Dranoff, Linda Silver. **Women in Canadian Law**. Don Mills, Ontario, Fitzhenry and Whiteside, 1977. 112 p.

A comprehensive look at Canadian law and its relationship to women. An excellent curriculum resource, it provides information on the history of laws, their present status, and present and past organizations which have lobbied for change. The section on women as citizens chronicles the Persons Case. The book is liberally sprinkled with entertaining illustrations and quotes and presents a follow-up section at the end of each chapter that includes questions on content, activities and reading.

Fox, Beryl. **The Visible Woman**. The Federation of Women Teachers' Association in Ontario, N.D.

A history of women and of women's rights in Canada, in booklet form complete with photographs and bibliography.

Fremes, Ruth. **The Canadian Woman's Almanac**. Toronto, Methuen, 1978. 272 p.

A pot-pourri of advice to women relating to problems they might face in health, marriage, nutrition, insurance, financial and legal matters. Writing in a very personal style, the author draws on her experience and the knowledge she has gained through her career in the media.

Haig, Kennethe M. **Brave Harvest: The Life Story of E. Cora Hind, L.L.D.** Toronto, Thomas Allen, 1945. 275 p.

This is the story of Cora Hind, dean of Canadian newspaper women, and recognized authority on grain and livestock. She was the first public stenographer west of the Canadian Great Lakes and as agricultural editor for the Manitoba Free Press her crop report estimates were famous and respected around the world. The book unfortunately contains little on her work in the Women's Christian Temperance Union or the suffrage movement.

Innis, Mary Quayle, ed. **The Clear Spirit: Twenty Canadian Women and Their Times**. Toronto, University of Toronto Press, 1967. 304 p.

All selections by women writers, sketch the lives of twenty Canadian women and their contribution to the development of Canada. Included is a chapter on the Persons Case.

James, Donna. **Emily Murphy**. Don Mills, Ontario, Fitzhenry and Whiteside, 1976. 62 p.

One of Alberta's "Famous Five" fighters for the rights of women, Emily Murphy, who also wrote under the pen name "Janey Canuck" was the first woman magistrate in the British Empire. Intelligent, articulate and personable, Emily was a lecturer, humanitarian, and defender of the underdog. With her four companions she was instrumental in having women finally declared to be "persons" in 1929, thus making them eligible to sit in the Senate.

Labarge, Margaret Wade, Johnson, Micheline D., and Margaret C. MacLellan. **Cultural Tradition and Political History of Women in Canada**. Studies of the Royal Commission on the Status of Women in Canada, Ottawa, Information Canada, 1971.

Three extremely informative essays assessing the cultural, historical and political roots of women's subordination and the changing status of women over the years. Labarge presents a brief but incisive overview of woman's position in society from antiquity through the Middle Ages, the Renaissance, Industrial Revolution to modern day. She singles out the victory of the Persons Case as a leading landmark in the great divide between women's past and present status. Johnson's history of women in Quebec illustrates how the development of women's rights has not kept pace with that of the rest of Canada. MacLellan provides an excellent summary of the laws enacted in Canada over the years to improve women's legal position in marriage, child custody, and the right of inheritance and women's cultural and economic position in education, the professions, the labour force and politics.

Langevin, Liane. **Missing Persons, Women in Canadian Federal Politics**. Advisory Council on the Status of Women, 1977. 60 p.

In this thorough report on the role of women in Canadian electoral politics, Langevin analyzes why women have not

featured prominently in public life. Focusing on federal politics, she provides tables detailing women's participation in government between 1921 (when the first woman was elected to the House of Commons) and 1974. Her study includes a discussion of women's history, sex roles and socialization, a survey of the education, occupations, experience and party affiliation of candidates who have run for office, an examination of other offices held by women in government and finally an account of her interviews with recent candidates and M.P.'s.

Leonard, David. "Alberta's Lady of the Fight." **The Edmonton Sunday Sun**, September 24, 1978, p. 54; October 8, 1978, p. 52; October 23, 1978, p. 54.

A three-part article detailing the accomplishments of Emily Murphy, first female police magistrate in the British Empire and one of "The Famous Five" of the Persons Case.

MacEwan, John Walter Grant. **And Mighty Women Too**. Saskatoon, Western Producer Prairie Books, 1975. 275 p.

MacEwan briefly sketches the lives and efforts of thirty-two western women, all notable in some profession or for their devotion to one cause or endeavour. Beginning with Marie Anne Lagmodière, the first white woman to travel west, the book brings us up to newsworthy women of the '70's. Among those included are feminist Nellie McClung, and poet Pauline Johnson. Unpretentious and factual, the book shows the difficulties women have had to undergo before attaining even the level of freedom they now enjoy.

McClung, Nellie. **In Times Like These**. Toronto, University of Toronto Press, 1972. 129 p.

This strong plea for women's rights, first published in 1915, in the early part of the First World War, is now reissued by Veronica Strong-Boag. McClung's care for equality is based on the demand for human rights for all human beings and on the belief that only women have the necessary spiritual and moral qualities to reform society. The book is a vivid analysis of the feminist position and still one of the best pleas for human rights and social reform inspite of its evangelistic fervour and its emphasis on the sacred role of motherhood.

McClung, Nellie. **Sowing Seeds in Danny**. Toronto, Thomas Allen, 1965. 313 p.

Nellie McClung is remembered as the most famous of the Canadian Suffragists, but she was also known in her own time as a writer of fiction. **Sowing Seeds in Danny** (1908) is her first novel. It is an amalgamation of stories of Manitoba community life, told with a moralistic aim and centred around the character of Danny's sister Pearl Watson. Pearl is featured in several of Nellie McClung's later novels some of which deal with the campaign for women's rights and for human justice and compassion.

McClung, Nellie. **The Stream Runs Fast: My Own Story**. Toronto, Thomas Allen, 1965 (c 1914).

The Stream Runs Fast is a sequel to the author's first volume of reminiscences, **Clearing in the West**. In a blend of autobiography, political and social comment, McClung tells of her first public speeches for women's rights, her confrontation with Premier Roblin, and the "Women's Parliament" burlesque enacted in Winnipeg in 1914.

MacLean, Una. "The Honourable Irene Parlby." **Alberta Historical Review**, Spring, 1959, pp. 1-6.

The article provides a short but complete biography of Irene Parlby, Alberta's first woman cabinet minister and one of "The Famous Five" of the Persons Case.

MacLean, Una. "The Famous Five." **Alberta Historical Review**, Spring, 1962, p. 1-4.

This informative article focuses on the Persons Case. Especially interesting is its detailed description of how the Supreme Court of Canada and the Privy Council in England responded to the five Alberta women's petition.

Murphy, Emily F. **The Black Candle**. Toronto, Coles Publishing, 1973. 405 p.

This landmark work first published in 1922 by T. Allen, on the non-medical use of narcotics in Canada written by Canada's first woman judge, and one of "The Famous Five" of the Persons Case, was responsible for sweeping narcotics legislation, some of which is still in force. It contains some amusing and false notions on "drug fiends", characteristic of the times.

Murphy, Emily F. **Janey Canuck in the West**. Toronto, McClelland and Stewart, 1975 (c 1916). 223 p.

Married to a travelling missionary, the author, who later became a militant fighter for political and legal rights for women, and the first woman magistrate in the British Empire, describes three years spent in a small town in Manitoba in the early years of this century.

Rasmussen, Linda, et al. **A Harvest Yet to Reap: A History of Prairie Women**. Toronto, Women's Press, 1976. 240 p.

Based on the National Film Board film **Great Grandmother**, the book celebrates the lives and achievements of women who survived the Canadian frontier. The last chapter, relating to the struggle for the vote, captures the drama of the women's confrontation with narrow-minded politicians. Brief biographies of notable women, an historic timeline, a bibliography and an index complete an impressive and poignant record of the life of prairie women.

Robbins, Doris. "Letter to Emily Murphy." **Heritage**, September-October, 1976, p. 22-23.

Written in the form of an open letter, this article highlights the achievements of Emily Murphy in bettering the lives of Canadian women.

Royal Commission on the Status of Women. **Report**. Ottawa, Information Canada, 1970. 488 p.

This document is the result of the establishment in 1967 of a federal Royal Commission on the Status of Women. The Commission's mandate was to "inquire into ... the status of women in Canada to ensure for women equal opportunities with men in all aspects of Canadian society". The report contains a detailed analysis, with facts and figures, of all women in all fields and walks of life. Major sections covered include women and poverty, marriage, education, the economy, child care, public life, immigration and citizenship, and criminal law. The report makes 167 recommendations aimed at providing women with the rights and freedoms they have not yet attained.

Stephenson, Marylee, ed. **Women in Canada**. Don Mills, General Publishing Co., 1977. 368 p.

This revised edition addresses a wide range of information and theories about women in contemporary Canada. The articles, many based on study or research projects, are relevant in the fields of sociology, psychology and political science. The book could be a useful resource to the interested public, students and teachers. It's also recommended for undergraduate courses on women given from a social science perspective. A section at the end of the book offers an excellent guide to historical literature about women (1950-1975) by Veronica Strong-Boag and a bibliography of material on Canadian women.

Stone, Olive Dr. "Canadian Women as Legal Persons." Alberta Law Review. Vol. XVII No. 3 (1979) pp 331-371.

An articulate legal overview of the history and circumstances leading up to the "Persons Case" and the declaration by the Privy Council in London in 1929 that women were persons and qualified to be members of the Senate. The article also includes information on the general development of women's public rights in Canada.

Wachtel, Eleanor. "The 10 Loudest Legal Judgements of the Seventies." Chatelaine. March, 1978 pp. 50, 57, 114, 116, 118.

Article reviews ten Canadian court cases which document the fact that the legal system still deals very unfairly with women.

Audio-Visual Materials

Alberta Women's Bureau, Alberta Human Rights Commission, and Alberta Education, Curriculum Branch. The "Persons Case": 50th Anniversary October 18, 1929 - October 18, 1979. Edmonton, 1979. 28 p.

This package of material is a teaching kit compiled in recognition of the Persons Case to promote student understanding of the roles of women in the past and the changes that have taken place, to encourage an understanding of the Persons Case and to foster an interest and concern about women's issues. It has been written for use in Social Studies with specific applications to grades 8B and 10A but is adaptable for use in other areas.

Great Grandmother. Montreal, National Film Board, 1976. 16 mm colour. 28 min.

This is a powerful Alberta - made feminist film. Its message is voiced by several elderly pioneering women whose experiences are related from memory. Added to these are quotations from diaries, letters and newspapers all spoken over re-enacted scenes and archival photographs. It begins with the earliest settlements and ends with the winning of the vote.

The Visible Woman. Toronto, Federation of Women Teachers Association of Ontario, 1975. 16 mm colour. 30 min. $375. Free loan except shipping costs. Distributed by Marlin Motion Pictures.

The film traces the evolution of women's rights up to the Report of the Royal Commission on the Status of Women.

Women In Canada. Toronto, See/Hear Now!, 1974. 2 sound film strips 94, 91 frames. $28.00 each or $52.75/set. Distributed by Prentice-Hall.

This is an historical look at the contributions and sacrifices of some representative Canadian women pioneers, artists and politicians. This information is linked to the development of the feminist movement.

Women on the March, Part 1 and 2. Montreal, National Film Board, 1968. 16 mm black and white. 24 minutes each. $150.00.

This award winning film is still an excellent resource for an historical study of the women's movement. Part One records the struggles of Emily Pankhurst and other British and North American suffragists. The second part covers the acquisition of the vote and the struggle for self-determination.

Women Want. International Live Media for International Women's Year. Secretariat for the Privy Council. 16 mm colour. 25 minutes. $300.00. Distributed by National Film Board.

This film takes a look at the past and present cultural, legal and political status of women. Such issues as equal pay for equal work, matrimonial property rights, maternity leave and access to credit are covered.

The Women's Kit. Toronto, Ontario Institute for Studies in Education, 1975. Multi-media kit. $65.00.

This kit contains slides, filmstrips, recorded interviews, play scripts, drawings and posters, is an excellent source of information and resource for studying the past and present situation of women in Canada.

Play

Grant, Diane and Company. What Glorious Times They Had. Toronto, Simon and Pierre, 1977. 80 p.

A satire based on the life and political struggle of Canadian suffragist Nellie McClung. The play depicts Nellie McClung's campaign for women suffrage, her encounters with rigid and dogmatic politicians and her fight to ameliorate conditions for women in factories etc.

Information Sources

Hauck, Philomena. Sourcebook on Canadian Women. Ottawa, Canadian Library Association, 1979. 111 p.

An excellent annotated guide to books, periodicals, pamphlets, audio-visual materials and general information directly or indirectly related to women and their concerns. It includes sections on Women's Rights, Women and the Law, biography, and literature by and about women.

Women in Canada 1862 - 1979

1862 Eliza McDougall arrives in Alberta with seven children to work as a missionary with husband Reverend George McDougall.

1863 Small group of Grey Nuns opens a hospital at Father Lacombe's St. Albert (Alberta) mission.

1877 Five Alberta women sign as witnesses to Treaty No. 7 with Blackfoot.

1881 Dr. Charlotte Ross is first woman licensed to practise medicine in Western Canada.

1885 In Alberta, widows and spinsters allowed to vote and hold office in school matters.

1890 Under the laws of the N.W.T. (Alberta then a part of) a father is ruled to be sole guardian of any children.

1894 In the Territories, unmarried women are permitted to vote in municipal elections, but they cannot hold office.

1895 Local Council of Women (Edmonton Chapter) organized by Lady Aberdeen.

1909 At a joint convention, the Alberta and Saskatchewan provincial Women's Christian Temperance Union pledges to work more actively for women's suffrage.

1910 Alberta **Married Women's Relief Act** provides for grant (from estate) to widows who do not receive enough from husband's will.

1912 **Alberta Rural Municipality Act** and **The Village Act** (1913) empower any ratepayer to vote but restrict office holding to men.

The United Farmers of Alberta endorse women's suffrage.

Calgary Local Council of Women - Calgary Chapter formed.

1913 Alberta's **An Act Respecting Infants** allows a mother to petition court for custody of children.

1914 Edmonton Equal Franchise League and the Calgary Local Council of Women present a petition to government on behalf of 12,000 signers and 44 associations.

1915 Under **The Alberta Married Women's Home Protection Act**, a wife can prevent any transaction involving her homesite.

1916 Emily Murphy is appointed first police magistrate in British Empire.

Women in Alberta are given the provincial vote.

1917 Louise McKinney and Roberta McAdams elected to Alberta Legislature and become the first women elected to political assembly in the British Empire.

Alberta Dower Act is passed providing a wife with a life interest in homestead which cannot be disposed of without her consent.

In Alberta, wives, daughters and sisters of male ratepayers, as well as ratepayers, are allowed to participate in school politics.

1918 Women given full federal franchise.

Female delegates are admitted to convention of the Alberta Federation of Labour.

1919 Under **The Naturalization Act**, a British subject who married an alien is permitted to retain citizenship.

In Alberta, **The Municipal Hospitals Act**, drafted by Irene Parlby and committee, is passed.

In Alberta, mothers whose husbands are dead or insane may apply for relief under **The Mothers' Allowance Act**.

1920 The new **Alberta Infants' Act** makes mother and father joint and equal guardians of their children.

1921 Alberta women allowed to serve on juries except in criminal cases but are not compelled to serve.

Irene Parlby, the first president of the United Farm Women of Alberta is appointed Minister without Portfolio. She will stay in office until retirement in 1935.

Agnes McPhail is the first woman elected to House of Commons.

1922 Married women in Alberta allowed to hold and dispose of property and to enter into contracts.

1923 In Alberta **The Children of Unmarried Parents Act** makes the father responsible for the support of his child.

1928 After a petition from Emily Murphy, Nellie McClung, Louise McKinney, Irene Parlby, and Henrietta Muir Edwards, the Supreme Court of Canada decides that under the terms of the **British North America Act** women are not persons and therefore cannot be appointed to the Senate.

1929 The "Persons Case" goes to the British Privy Council which overturns the decision of the Supreme Court of Canada: women are deemed to be "persons" and can therefore be appointed to the Senate.

1930 In Alberta **The Sex Disqualification Removal Act** allows women to enter any profession and to hold any civic, judicial or governmental position.

Cairine Wilson of Ontario is appointed first woman senator and gives full credit to the work of Emily Murphy and friends.

1937 In Alberta, **The Married Women's Act** establishes that married women have the same rights as any other person except that spouses cannot sue each other.

1941 Quebec women regain the right to vote.

1967 Royal Commission on the Status of Women appointed.

1969 Federal **Criminal Law Amendment Act** declares that a therapeutic abortion could legally be performed where a hospital committee ruled that pregnancy could endanger life or health of mother.

1970 Report of Royal Commission tables 167 recommendations, 78 of which apply to Alberta.

1971 Alberta is first province to appoint a Citizen's Advisory Board to study the Royal Commission Report.

Alberta women called to serve equally with men on juries and can no longer refuse to serve.

1972 **Domestic Relations Act** amended so that either spouse may be granted alimony.

Alberta **Individual's Rights Protection Act** amended so that men and women performing similar work in same institution will receive same pay.

1973 Edith Lavell loses case in Supreme Court of Canada which refuses to declare sections of **The Indian Act** discriminatory to women and against **The Canadian Bill of Rights**.

"Murdoch Case" judgement by Supreme Court states that a "farm wife has no legal interest in land belonging to her husband". Only the financial contribution of the wife was considered.

Helen Hunley becomes Alberta's first Solicitor General and first woman Cabinet Minister with full portfolio.

1975 International Women's Year sees the following federal statutes changed to allow for more equality between men and women: **Criminal Code**, **Canada Pension Act**, **National Defense Act**, **Canada Elections Act**, **Unemployment Insurance Act**.

1977 Canada Pension Plan amended so that the surviving male spouse may receive benefits on death of contributing spouse.

Alberta women entitled to 18 weeks unpaid maternity leave after one year's service with one employer.

1978 Under criminal law as applied in Alberta, both male and females are considered adult at the age of 16.

1979 Alberta **Matrimonial Property Act** gives judicial discretion in recognizing contribution of wife as homemaker and mother in division of assets on marriage breakdown (Irene Parlby had unsuccessfully proposed **The Community Property Act** in 1926).